

JUSTIFICATION
FOR AN EXCEPTION TO FAIR OPPORTUNITY

1. Contracting Activity: Department of Veterans Affairs (VA)
Office of Acquisition Operations
Technology Acquisition Center
23 Christopher Way
Eatontown, NJ 07724
2. Description of Action: The proposed action is for a firm-fixed-price delivery order to be issued under the National Aeronautics and Space Administration (NASA) Solutions for Enterprise-Wide Procurement (SEWP) V Government Wide Acquisition Contract (GWAC) for brand name International Business Machines WebSphere software licenses and maintenance.
3. Description of the Supplies or Services: The Office of Information and Technology, Service Delivery and Engineering, Enterprise Operations, requires the following additional brand name software licensing and maintenance support: IBM WebSphere Application Server Network Deployment Processor Value Unit (PVU), Process Center Advanced PVU, IBM Process Designer per user license, IBM WebSphere Service Registry, and Repository PVU License. This software supports the Veterans Relationship Management (VRM) Veterans Identity/Eligibility Reporting System (VIERS). VIERS contributes to meeting VA's strategic goals by improving the quality and accessibility of personal information and demographics, contact history, military history, and benefits information for Veterans and their beneficiaries by providing a consistent and standardized view of data, which will facilitate the ability to successfully resolve Veteran and beneficiaries' benefits claims and issues on first contact. The purchase of these additional IBM WebSphere software licenses and maintenance to those currently supporting VIERS will improve the consistency, quality and accuracy of information shared across all Veteran interfaces. Additionally, these licenses will support the migration of the VIERS system to the current IBM Websphere Enterprise Service Bus (ESB) Services Oriented Architecture (SOA) platform by increasing the processing of transactions and messages per second throughput, and improve high availability of a clustered deployment environment as a means to alleviate any performance issues during all Affordable Care Act (ACA) open enrollment periods and other projects. The period of performance for this effort requires delivery of software licenses within 30 days of contract award with software maintenance 12 months after date of delivery with two subsequent 12-month options for continued maintenance.
4. Statutory Authority: The statutory authority permitting an exception to fair opportunity is Section 41 U.S.C. 4106(c)(2) as implemented by the Federal Acquisition Regulation (FAR) 16.505(b)(2)(i)(B), "Only one awardee is capable of providing the supplies or services required at the level of quality required because the supplies or services ordered are unique or highly specialized."
5. Rationale Supporting Use of Authority Cited Above: Based on market research as described in section 8 of this justification, it was determined that limited competition is

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available among authorized resellers of the required brand name IBM Websphere software licenses and maintenance support on the NASA SEWP V GWAC.

The procurement of these licenses will provide VA with the ability to expand the existing VIERS architecture and environment, as stated above. Only IBM WebSphere software can meet all of VA's interoperability and compatibility requirements. Due to the IBM proprietary software code that the current infrastructure is built upon, no other product can interoperate with VA's current IBM ESB SOA platform which is comprised of IBM products. Specifically, no product other than IBM WebSphere would be able to communicate with the currently fielded IBM ESB SOA platform.

The WebSphere ESB SOA platform and the WebSphere Process Server are already implemented within the VA enterprise. Utilization of a different software product would require VA to re-develop the existing artifacts and business objects to support the existing technical framework of the SOA environment, causing critical project delays. Development for the current ESB SOA environment began in 2011 and has continued to expand since then. The approximate cost to establish the ESB SOA environment in its current form was \$8.9 million dollars. It is reasonably expected that similar costs will be incurred in order to duplicate the current ESB SOA environment if a new product/solution were to be utilized at this stage, particularly due to the fact that there is still ongoing expansion of the current ESB SOA environment. In addition to the significant duplicate cost, it is also expected that it will take approximately two years to replicate the existing capability level for the existing WebSphere platform and Process Server currently in use within the VA enterprise.

Additionally, acquiring these additional IBM WebSphere software licenses and maintenance will ensure that the VIERS system will be interoperable with existing VA programs including the Business Event Notification Service, VIERS Contact Information Service, VIERS Person Adapter, ACA Logging, and Military History data providing a common interface to Veterans. Other brand products would not be interoperable without re-engineering these existing programs. This re-engineering would require all existing products to stop on-going improvements and expansions efforts, in order to dedicate the next one to two years to replacing the service bus, business rules engine and repository currently in use.

Furthermore, utilization of IBM WebSphere software will help to fulfill several VA functional requirements that no other products can meet. Specifically, use of this software will provide VRM and VIERS with the required messaging capability already provided to VA under the Enterprise Messaging Infrastructure WebSphere ESB SOA platform discussed above. IBM Integration Bus (formerly WebSphere Message Broker) uses standard, non-proprietary file formats to describe solution elements wherever possible, in order to minimize rework when transferring data between integration products. IBM ESB SOA (WebSphere Message Broker) helps enable fast and flexible application integration to eliminate complex, point-to-point connectivity and integration

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programming so that business applications can easily and rapidly connect. No other product can provide this required messaging capability.

Additionally, these IBM WebSphere software licenses will also provide VA access to unique software tools which will allow for further implementation and development of the Government's Application Reference Model capabilities for Business Process and Business Rules Automation. No other software can provide for these additional implementation and development capabilities. These IBM WebSphere software tools are used to store and manage design-time and run-time service definitions, and provide a Java application server "Java Platform, Enterprise Edition container" for other services to be built for use with the WebSphere ESB SOA platform. Specifically, the expansion of IBM WebSphere Application Server Network Deployment PVU, Process Center Advanced PVU, and IBM Process Designer will align the VA business and Information Technology teams with a unified WebSphere ESB SOA platform, providing full visibility and insight to managing complete VA business processes through current and future applications.

In addition, the IBM WebSphere software to be obtained by this action must be maintained by IBM or an authorized reseller. This software, as discussed above, contains IBM proprietary code and any form of maintenance, such as bug fixes or enhancements, cannot be performed by any software developer other than IBM or a vendor with authorization from IBM to resell these services. Only IBM has access to this proprietary code, and therefore IBM or its authorized resellers are the only sources that can provide the required maintenance services necessary to support this software.

6. Efforts to Obtain Competition: Market research was conducted, details of which are in section 8 of this justification. This effort did not yield any additional sources that can meet the Government's requirements. It was determined, however, that limited competition is viable among authorized resellers for the required software licenses and maintenance support. In accordance with FAR 5.301 and 16.505(b)(2)(ii)(D), the award notice for this action will be synopsisized on the Federal Business Opportunities Page and this justification will be made publicly available within 14 days of award. Additionally, this justification shall also be provided with the solicitation on the NASA SEWP V website.

7. Actions to Increase Competition: Limited competition for this action among authorized resellers is anticipated. Additionally, the Government will continue to conduct market research to ascertain if there are changes in the marketplace that would enable future actions to be competed.

8. Market Research: In July and August 2015, the Government's technical experts conducted market research to ascertain the ability of any other source, other than an IBM reseller, that can provide software licenses and maintenance support that meets VA's application rapid reuse and creation needs. VA conducted research on other known similar software products available from Mule, Oracle, Camel, and Talend. Based on technical reviews of these products, the Government's technical experts

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determined that none of these products can meet the Government's interoperability requirements with the current WebSphere products deployed in environments as well as the aforementioned IBM products currently in use by VA in the EO infrastructure. Furthermore, none of these software products meet all of VA's functional requirements discussed in section 5 of this justification.

Additional research was also conducted in June 2015 through the release of a Request for Information under the NASA SEWP V GWAC. Based on this research, there are multiple resellers that can provide the required IBM WebSphere software licenses and maintenance support, therefore limited competition is anticipated at the reseller level.

9. Other Facts: None.